

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of KATELYNN MARIE RAU, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DALE LEE ANDERSON and CHARLENE MARIE  
RAU,

Respondents-Appellants.

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UNPUBLISHED

August 31, 1999

Nos. 217568;217576

Saginaw Circuit Court

Family Division

LC No. 96-024022 NA

Before: Markman P.J., and Saad and P. D. Houk\*, JJ.

MEMORANDUM.

Respondents appeal as of right from a family court order terminating their parental rights to the minor child under MCL 712A.19b(3)(g), (i), (j) and (l); MSA 27.3178(598.19b)(3)(g), (i), (j) and (l). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

With regard to respondent Anderson's issues on appeal, we hold that the family court's assumption of jurisdiction over the minor child was supported by a preponderance of the evidence. MCL 712A.2(b)(2); MSA 27.3178(598.2)(b)(2); MCR 5.974(D)(2); *In re S R*, 229 Mich App 310, 314; 581 NW2d 291 (1998); *In re Powers*, 208 Mich App 582, 588; 528 NW2d 799 (1995). Further, the family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence and that the established allegations justified terminating parental rights at the initial dispositional hearing. MCR 5.974(D)(3)(b); MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Finally, respondent Anderson failed to show that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

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\* Circuit judge, sitting on the Court of Appeals by assignment.

Thus, the family court did not err in terminating respondent Dale Anderson's parental rights to the child. *Id.*

With regard to respondent Rau's sole issue on appeal, we hold that the family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.964(D)(3)(c); MCR 5.974(I); *In re Miller, supra* at 337. We also hold that, as with respondent Anderson, the family court did not clearly err in finding that the established allegations justified terminating parental rights at the initial dispositional hearing. MCR 5.974(D)(3)(b).

Affirmed.

/s/ Stephen J. Markman

/s/ Henry William Saad

/s/ Peter D. Houk